

THE NEW JERSEY STATE BOARD OF MORTUARY SCIENCE
124 HALSEY STREET, NEWARK NJ, 07101
HUDSON ROOM, 6th FLOOR
9:30 A.M., TUESDAY, FEBRUARY 2, 2016
<http://www.njconsumeraffairs.gov/mor>
OPEN SESSION MEETING MINUTES

ATTENDANCE

Thomas M. Keiser, Jr., Secretary
Charles F. Bechtold
Garrett C. Jones
Curtis S. Macysyn (Public Member)
Bayode Olabisi (Public Member)
Anthony J. Papavero Jr.
John Radzieta Sr.
Lloyd Wimberg

ABSENT

James J. Marrocco, President - Excused
Thomas E. Day - Excused

ALSO ATTENDING

Quin Archer, Executive Director
Meagan Goulding, Deputy Attorney General
Sabrina Dwight, Administrative Assistant
Cynthia Khalil, Principal Clerk Transcriber

APPROVAL OF MINUTES

New Jersey State Board of Mortuary Science Open Minutes for January 5, 2016. On motion made by Mr. Wimberg, seconded by Mr. Olabisi, the Board voted to accept the minutes as read. All voted in favor of the motion.

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EXECUTIVE DIRECTOR'S REPORT

Ms. Archer reported that the total number of complaints received in January are three (3) and the total for the year are 3.

Ms. Archer reported that the next regular Board meeting has been scheduled for Tuesday, March 1, 2016, in the Hudson Conference Room, 6th floor.

Attorney Robert Shea appeared at 10:00 with Geraldine Oliverie to present argument to the Board regarding Ms. Oliverie's pre-application to build a structure, which will include a funeral home, office space, banquet hall, and floral/retail shop.

Regulation Analyst, Rachel Glasgow, arrived at 9:30 a.m. to discuss the proposal to amend N.J.A.C.13:36-5.6(a) and 10.3(b)4. Ms. Glasgow reported that the comment period ended December 4, 2015 and that one (1) comment was received from the New Jersey State Funeral Directors Association seeking clarification. On motion made by Mr. Olabisi, seconded by Mr. Radzieta, the Board determined to adopt the proposal to amend N.J.A.C.13:36-5.6(a) to include "clear, white, or flesh colored adhesive tape". The Board also discussed N.J.A.C.13:36-10.3(b)4 and agreed with the comment received that there is confusion in the community over the OSHA continuing education requirements. The Board proposes that if the licensee wants to apply OSHA training he or she receives towards the Board's continuing education requirement, the OSHA training must be Board approved and the licensee can apply no more than three. All voted in favor of the motion.

INTERN REGISTRATIONS

Ray Patrick Cuevas, Bergen Funeral Service Inc.
Arlynn Ferro, MaDonna Multinational Home for Funerals
Michael Lehansky, Marrocco Memorial Chapel
Stephanie Mendez, Bergen Funeral Service

*Intern registration for 2016:*4

This was for the Board's information only.

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NEW LICENSEES

Alvin Chan	Licensed by Application
Melissa A. Lamanna-Hunter	Licensed by Application
Nicholas J. Lukaszewicz	Licensed by Application
Christopher T. Venezia	Licensed by Application

*Licensed by Application for 2016:*4 *Licensed by Credentials for 2016:*0

This was for the Board's information only.

NEW INSTALLATIONS

Batchelor Brothers Funeral Services, Hamilton, Mgr., Johnnie Palmer
Scarpa-La Rosas Funeral Home Corp., Plainfield, Mgr., Erin Gigoux
Garden Hill Funeral Directors Service Inc., Irvington, Mgr., Betty R. Hill

*New Installation received in January:*3 *Total for 2016:*3

This was for the Board's information only.

CONTINUING EDUCATION AUDIT

Results of the 2013-2015 continuing education audit. The committee reported that 161 licensees were audited. Ten (10) licensees did not respond and will receive a \$1,000.00 fine. Within (30) days, the licensee is to provide proof of CE credit. No response will result in a suspended license until licensee responds to the Board. Seven (7) licensee did not complete any CE courses. They will be fined \$1,000.00 and offered the option of making up the CE credits, applying for inactive status or they can surrender their license without a fine. Five (5) licensees did not demonstrate they participated in any OSHA training. They will be fined \$100.00 and must make up the training within six (6) months. Also the committee recommends for this licensing period that the Board allow licensees who showed proof they had attended an in-house training session as satisfying the Board's OSHA CE requirement. Thirty (30) licensees were short of the CE requirements by one (1) hour and eleven (11) between two (2) and seven (7) hours. All will be fined \$100.00 per CE credit and must make up the hours within six (6) months and the makeup credits cannot be applied to the current licensing period. Certificates issued to attendees shall have the sponsor name on them. On motion made by Mr. Jones, seconded by Mr. Olabisi, the

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Board determined to accept the committee report and fines that were set as read. All voted in favor of the motion.

CONTINUING EDUCATION

(Approved courses are found on the state website www.njconsumeraffairs.gov/mort under the licensee tab)

A) International Cemetery and Funeral Association: Daniel Osorio
(Additional information provided to Chairman Bechtold)

1) 2016 ICCFA Annual Convention and Exposition (4/13/16) **0hrs**

B) National Funeral Directors Association: Jackie Lindberg

1) NFDA Arranger Program (2/25/16) **7hrs**
2) Building Superior Customer Relationship.....(3/24/16) **1.5hrs**
3) New Campaign Tools to Inspire Families to.....(2/25/16) **1hr**

C) Eastwick College: Dr. Daniel Simone

1) Funeral Preplanning-Essentials For FDs (various) **2hrs**

D) International Order of the Golden Rule: Jessica Smith

1) 2016 Young Professionals Event-Fresh Approaches (3/26/16) **5hrs**

E) RuthAnn Brown

1) Clergy Climate Change (1/20/16) **1hr**

F) National Funeral Directors Association: Jackie Lindberg

1) NFDA Meet the Mentors Program 2016 (3/14/16) **8.75hrs**
2) NFDA Cremation Retreat 2016 (3/17/16) **9hrs**

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G) The Conference: Allie Sparkman

1) Board Member Training Program (2/23/16)	0hrs
2) Funeral Service Administrators Forum (2/23/16)	0hrs
3) Examination Services Forum (2/23/16)	0hrs
4) The Dalhousie Experience (2/23/16)	0hrs
5) Recent Cases & What We Need to Learn (2/23/16)	0hrs
6) The Funeral Rule-What Regulators Need to Know (2/23/16)	1hr
7) System Automation Panel (2/23/16)	0hrs
8) District Meetings (2/23/16)	0hrs
9) Creating Model Licensee (2/23/16)	0hrs
10) Group Exercise (2/23/16)	0hrs

H) MKJ Marketing: Krystal Casey

1) Improving Your Funeral Business: How to Accelerate...(3/1/16)	3hrs
2) Improving Your Funeral Business: Branding Identity (2/29/16)	3hrs
3) Improving Your Funeral Business: Serving Families.....(3/2/16)	3hrs

I) National Funeral Directors Association: Jackie Lindberg

1) NFDA Certified Preplanning Consultant (open)	8-15hrs
2) NFDA Certified Crematory Operator Program (various)	3hrs

The committee reported that section A) International Cemetery and Funeral Association was not approved and the committee is asking that they separate each course with individual hours and resubmit for Board approval; section D) International Order of the Golden Rule was not approved; section G) The Conference, numbers 1, 2, 3, 4, 5, 7, 8, 9, 10 were not approved, number 6 was approved for 1 hour only; section I) National Funeral Directors Association, number 2 was approved for 3 hours only. On motion made by Mr. Radzieta, seconded by Mr. Wimberg, the Board voted to accept the committee report as read. All voted in favor of the motion.

CORRESPONDENCE

Linda Van Arsdale, Trust Project Manager of Choices, informs the Board that they were authorized to prepare the notification letters to the purchasers of records, regarding the move of the All Faiths Cremation Services, LLC. This was for the Board's information only.

Linda Van Arsdale, Trust Project Manager of Choices, informs the Board that they were authorized to prepare the notification letters to the purchasers of records, regarding the change of ownership of Beaugard Funeral Home. This was for the Board's information only.

Linda Van Arsdale, Trust Project Manager of Choices, informs the Board that they were authorized to prepare the notification letters to the purchasers of records, regarding the closing of Galante Funeral Home. This was for the Board's information only.

Intern Michael Lehansky, is requesting that the Board will reconsider its decision and accept all credits that was earned from the Coast Guard Institute towards licensure. The Board reviewed his transcripts from the Coast Guard Institute and was unable to recognize his education as being substantially equivalent to the training, education, and experience required for licensure. The motion was made by Mr. Macysyn, seconded by Mr. Wimberg, and all voted in favor of the motion.

Jeff Vander Plaat, is requesting instruction on how to disclose on the Statement of Funeral Goods and Services Selected Form, charging fees associated with accepting credit cards. On motion made by Mr. Radzieta, seconded by Mr. Jones, the Board determined to advise Mr. Vander Plaat that you are not allowed to charge the consumer fees, it depends on the user agreement. The fee does not belong on the Statement of Funeral Goods and Services Selected Form. You must check with the credit card company regarding their policy. All voted in favor of the motion.

Credential Applicant, Vaughn Greene, who has been licensed in Pennsylvania for four years is requesting permission to enter into New Jersey based on his thirty years of funeral experience in the State of Maryland. On motion made by Mr. Bechtold, seconded by Mr. Olabisi, the Board determined to grant him a license upon passing the jurisprudence examination. All voted in favor of the motion.

Dorothy Gross is requesting that the Board allow her to continue her internship beyond the three years, in order to pass the National Board Examination and complete the remaining requirements. On motion made by Mr. Jones, seconded by Mr. Wimberg, the Board determined to grant her one (1) year to complete the remaining requirements. All voted in favor of the motion. Mr. Keiser recused himself.

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Erin Ryan is requesting that the Board allow her to continue her internship beyond the three years, in order to pass the National Board Examination and complete the remaining intern requirements. On motion made by Mr. Bechtold, seconded by Mr. Wimberg, the Board determined to grant her one (1) year to complete the remaining requirements. All voted in favor of the motion.

Credential Applicant, Justen Wright is requesting permission to enter into New Jersey based upon his 2003 Delaware license. On motion made by Mr. Bechtold, seconded by Mr. Radzieta, the Board determined to grant him a license upon passing the jurisprudence examination. All voted in favor of the motion.

OPEN DISCIPLINARY MATTERS

#15-50 Randy Goldy, Manager of the McGuinness Funeral Home, paid the penalty of \$750.00 for the violation N.J.A.C.13:36-5.12 (g)1 on December 29, 2015. This was for the Board's information only.

#15-51 Richard Bonczak, Manager of the McGuinness Home, paid the penalty of \$500.00 for the violation N.J.A.C.13:36-5.12 (g)1 on December 29, 2015. This was for the Board's information only.

OLD BUSINESS

Robert Shea, Esq. and Mrs. Oliverie appeared before the Board to request approval on the pre-application to build a structure, which will include a funeral home, office space, banquet hall, and floral/retail shop. Mr. Shea had previously submitted materials to the Board in support of his application. Following oral argument and testimony from Ms. Oliverie, on motion made by Mr. Bechtold, seconded by Mr. Wimberg, at approximately 11:10 am, the Board requested to go into executive session to seek advice from counsel. After an extensive discussion, at approximately 12:30 pm, the Board went back into public session. The Board was advised that Ms. Oliverie would agree to modify the proposed plans so that there would be solid walls with no direct access inside the building between the three condominium units. There will be a solid wall with no interconnection or direct access between the banquet hall and floral/retail shop as well as between the floral/retail shop and the funeral home. On motion made by Mr. Jones and seconded by Mr. Papavero, the Board determined to pre-approve the application to build the above mentioned structure subject to those conditions. Ms. Oliverie was also advised that once her funeral home was built and completed, she would be subject to the Board's usual inspection of new funeral homes. All voted in favor of the motion.

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ITEMS FOR DISCUSSION

Adam Guziejewski, Deputy Executive Director of the New Jersey State Funeral Directors Association, provided comments to the proposed rule change of N.J.A.C.13:36-5.6(a) and 10.3(b)4.

PUBLIC COMMENTS

Adam Guziejewski, Deputy Executive Director of the New Jersey State Funeral Directors Association stated that he looks forward to the clarification regarding the OSHA continuing education requirements in N.J.A.C. 13:36-10.3 and will be looking for more information in the adoption notice relating to N.J.A.C.13:36-5.6 .

EXECUTIVE SESSION - 1:00 P.M. On motion made by Mr. Wimberg, seconded by Mr. Papavero, the Board voted to go into executive session to discuss consumer complaints and/or conduct investigative inquiries. The results of these deliberations will be made known if the Board determines disciplinary or other law enforcement action is necessary. If the Board determines to issue uniform penalty letters, that action will be taken in public session immediately after the executive session.

Respectfully submitted,

Thomas M. Keiser, Jr.,
Secretary

Dated